



Planning Building & Development
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**CITY OF ROANOKE PLANNING COMMISSION
CITY COUNCIL CHAMBER, NOEL C. TAYLOR MUNICIPAL BUILDING
June 8, 2015 – 1:30 p.m.**

AGENDA

I. Call to Order and Welcome.

Welcome to the June 8, 2015, meeting of the City Planning Commission. Please make sure that sound on all cellular phones and paging devices is turned off during the meeting. If you wish to speak to any matter, the chair will recognize you in turn. Please approach the podium and state your name and residential address so that the Commission's secretary may record the proceedings accurately.

II. Approval of Agenda: June 8, 2015

III. Unfinished Business:

None.

IV. New Business:

A. A request by the City of Roanoke to consider proposed amendments to Chapter 36.2, Zoning, of the Code of the City of Roanoke, (1979), as amended, by amending and reordaining the following code sections to update, clarify, and make the City's zoning ordinance easier to use for its citizens, such amendments not constituting a comprehensive rezoning or changing of any densities unless otherwise noted: The Official Zoning Map referenced in Article 1; Article 3, Regulations for Specific Zoning Districts; Article 4, Supplemental Regulations; Article 5, Procedures; Article 6, Development Standards; Article 8, Administrative Commissions, Board, and Officials; Appendix A, Definitions; and Appendix B, Submittal Requirements. The ordinance adopting the zoning amendments described above shall have an effective date of July 1, 2015.

B. A request by the City of Roanoke to rezone property located at 210 Reserve Avenue, S.W., bearing Official Tax Number 1040202, from INPUD, Institutional Planned Unit Development District, to ROS, Recreation and Open Space District.

C. A request by the City of Roanoke to consider an amendment to *Vision 2001-2020*, the City's comprehensive plan, to establish an urban development area within the entire City of Roanoke.

D. **Set Over to Monday, July 13, 2015:** A request by the City of Roanoke to consider an ordinance amending the Fee Compendium of the City to establish new fees for legal advertisements for zoning amendments, special exceptions, variances, and appeals to the board of zoning appeals.

E. Motion to schedule a public hearing to amend the Bylaws of the Planning Commission of the City of Roanoke to

- (i) clarify “Quorum and Vote” when one or more Commissioners recuse themselves under the Virginia Conflict of Interest Act, and
- (ii) adopt and incorporate by reference Robert’s Rules of Order Newly Revised when they do not conflict with the Bylaws, City Code, or the Code of Virginia (1950), as amended.

F. Motion to schedule a public hearing to consider an amendment to *Vision 2001-2020*, the City’s comprehensive plan, to permit the vacation of an approximately 0.556 acre portion of Brown-Robertson Park to create a right-of-way for realignment of 10th Street, N.W., on a portion of real property owned by the City of Roanoke, such real property located at 0 10th Street, N.W., and designated as Official Tax Map Nos. 2050307 and 2050402. In addition, the Virginia Department of Transportation will dedicate 0.220 acres of property across 10th Street and create a trailhead parking area as part of an agreement with the National Park Service and Virginia Department of Conservation and Recreation.

V. Other Discussion:

Any person with a disability requiring any special accommodation to attend or participate in the hearing should contact Planning, Building & Development at (540) 853-1730 before 5:00 pm on the Friday before the hearing.



PLANNING COMMISSION AGENDA REPORT

To: Chair and Members of the City Planning Commission
Meeting: June 8, 2015
Subject: Amendment to the Zoning Ordinance of the City of Roanoke

Recommendation

Staff recommends approval of the proposed amendments to the Zoning Ordinance. The Planning Commission should make a positive recommendation to City Council.

Background

Roanoke adopted the current zoning ordinance in December 2005. Since adoption, Planning staff has developed periodic amendments to ensure the ordinance remains a relevant tool for implementing the City's comprehensive plan. Significant amendments were made in 2010, 2011, and 2012. Two amendments were made in 2014.

Considerations

The proposed amendments address issues that arise with experience and ensure the ordinance produces intended outcomes in development. Some of the amendments are in direct response to discussions with developers and citizens who have helped us identify opportunities for improvement.

Amendments related to the Board of Zoning Appeals resulted from new legislation adopted by the General Assembly in the 2015 session. These new state code provisions will become effective on July 1, 2015. Accordingly, the amendments to the City's zoning ordinance are proposed to have an effective date of July 1, 2015.

The tables in the attachment summarize the proposed amendments.

Respectfully submitted,



Ian D. Shaw, PE, AICP, CZA
Planning Commission Agent

Attachment: Summary of Zoning Ordinance Amendments June 2015.pdf

cc: Chris Morrill, City Manager
R. Brian Townsend, Assistant City Manager
Chris Chittum, Director of Planning Building & Development
Daniel J. Callaghan, City Attorney
Steven J. Talevi, Assistant City Attorney

| Section | Summary of Amendment | Notes |
|---|---|--|
| Chapter 36.2. ZONING | | |
| ARTICLE 3. REGULATIONS FOR SPECIFIC ZONING DISTRICTS | | |
| Use table for residential districts | <p>Remove reference to supplemental regulations for group care facilities</p> <p>Change <u>Group care facility, congregate home, elderly,</u> and <u>Group care facility, transitional living facility,</u> from permitted uses to special exception uses in RMF.</p> <p>Add <u>Homestay</u> as a new special exception use in all residential districts. Add a reference to supplemental regulations</p> | <p>All but elderly facilities require special exception where density and separation issues can be addressed. Staff views separation requirements as an inequitable zoning practice.</p> <p>Codifies current practice for AirBnB and other similar uses.</p> |
| Dimensional regulations for residential districts | Add a note clarifying how maximum lot frontage is applied. | Clarification of existing interpretation |
| Use table for multiple purpose districts | <p>Add <u>campground</u> as a new special exception use in the CG, CLS, ROS, and UF districts. Add reference to supplemental regulations.</p> <p>Add <u>Place of Worship</u> as a permitted use in UF</p> <p>Add <u>Homestay</u> as new special exception use in MX and as a new permitted use in the CN, CG, CLS, and ROS districts. Add reference to supplemental regulations</p> | <p>Provides an option to support tourism.</p> <p>Addresses a potential compliance issue with RLUIPA</p> <p>Codifies current practice for AirBnB and other similar uses.</p> |
| Dimensional regulations for multiple purpose districts | <p>Increase UF maximum lot area from 2 acres to 3 acres</p> <p>Increase maximum height in the ROS district</p> <p>Increase ROS impervious surface area maximum to</p> | <p>Current two acres max proving too small based on locations where mapped.</p> <p>Increases flexibility for recreational facility development in ROS district.</p> <p>Clarification of existing interpretation</p> |

| Section | Summary of Amendment | Notes |
|--|--|---|
| | 80%. Add a note clarifying how maximum lot frontage is applied. | |
| Use table for industrial districts | Add the following uses as permitted uses in various industrial districts: Amphitheater Entertainment establishments Parks or playgrounds Recreation outdoor Outdoor recreation facility lighting or sports stadium lighting | Expands uses complementary to industrial developments. |
| Procedural requirements for planned unit development districts | Add language specifying how a PUD plan is established or amended. | Codifies current practice. |
| Use table for planned unit development districts | Add <u>campground</u> as a new permitted use in MXPUD and INPUD. Delete reference to supplemental regulations for group care facilities. | |
| ARTICLE 4. SUPPLEMENTAL REGULATIONS | | |
| Supplemental regulations for bed and breakfast | Add supplemental regulations for new Homestay use to supplemental regulations for B&B. | |
| Supplemental regulations for group care facilities. | Delete supplemental regulations for group care facilities | All but elderly facilities require special exception where density and separation issues can be addressed. Staff views separation requirements as an inequitable zoning practice. |
| Motor vehicle or trailer painting and body repair. | Making a correction removing the word "and." | |

| Section | Summary of Amendment | Notes |
|--|---|---|
| Supplemental regulations for Temporary uses | Permit camping as accessory use to temporary public events. | Codifies current practice |
| ARTICLE 5. PROCEDURES | | |
| Zoning amendments | Add reference to fee compendium for legal advertisements. Modify sign posting requirement for amendments. | Establishes a predictable, flat fee for legal ads. A separate ordinance will add fees to fee compendium effective July 1, 2015. Sign posting not required by state code. The proposed amendment will reduce exposure to legal challenge due to defective notice. |
| Special exceptions Variances Appeals to the board of zoning appeals | Add references to fee compendium for legal advertisements. Modify sign posting requirement for special exceptions. | Establishes a predictable, flat fee for legal ads. A separate ordinance will add fees to fee compendium effective July 1, 2015. Sign posting not required by state code. The proposed amendment will reduce exposure to legal challenge due to defective notice. |
| Variances Appeals from the board of zoning appeals Quorum and vote. Rules and records. Powers and duties (of BZA) Powers and duties (of zoning administrator) | Various amendments to reflect VaCode amendments from 2015 GA session. | This amendment changes how variances are to be considered. It is likely to increase caseload |

| Section | Summary of Amendment | Notes |
|--|---|--|
| Zoning violations. | Add owner to notice of violation | |
| ARTICLE 6. DEVELOPMENT STANDARDS | | |
| Sec. 36.2-644. Applicability (landscaping requirements) | Exempts certain projects from tree canopy. | Response to discussions with Roanoke Regional Homebuilders Association. Relieves burden on developer for small projects. |
| Sec. 36.2-645. Street yard trees. | Eliminates street yard tree requirement | Response to discussions with Roanoke Regional Homebuilders Association. |
| Table 652-2 Minimum Parking | There is no parking required for a community garden but the maximum applies. | |
| 653 Maximum parking | Raises threshold for exceeding maximum parking from 175% to %200 by special exception. | |
| 654 Parking and loading area standards | Delete parking location requirement for NDD | |
| Table 654-1. Parking and Loading Area Standards | Add exceptions to maximum driveway width and or coverage. Exempt permeable paving systems from counting toward max driveway widths. Reduce minimum driveway width to 7 feet. | Response to discussions with Roanoke Regional Homebuilders Association. |
| Table 668-1. Type, Number, and Size of On-Premises Signs | Clarify maximum number of free standing signs in CLS. | Codifying interpretation. |
| Sec. 36.2-669. - Changeable copy signs and electronic readerboard signs. | Cap sign area for electronic readerboards in CN, IN, D similar to CG [669(b)(3)] | |

| Section | Summary of Amendment | Notes |
|---|---|-------|
| Sec. 36.2-675. Outdoor advertising signs. | Allows an approved billboard to get VDOT approval for construction. | |
| Sec. 36.2-834 Quorum and Vote | To amend rules for the board of zoning appeals to require the board to offer equal time to parties and the staff of the City of Roanoke. | |
| Sec. 36.2-836 Rules and Records | To allow ex parte communications with members of the board of zoning appeals under certain circumstances and to require the dissemination of materials to certain interested parties within a certain period of time. | |
| Sec. 36.2-837 Powers and Duties | To specify how an appeal of a zoning administrator determination is to be considered; and to specify that the burden of proof is on the appellant to show justification for a variance. | |
| Sec. 36.2-841 Powers and Duties | To specify how an appeal of a zoning administrator determination is to be considered; and to specify that the burden of proof is on the appellant to show justification for a variance. | |
| APPENDIX A. Definitions | | |
| Definitions | Add a definition of <u>Campground</u> | |
| Definitions | Add a definition for Homestay | |
| Definitions | Amend definition of Variance to reflect VaCode amendments from 2015 GA session. | |
| APPENDIX B. Definitions | | |
| Submittal requirements, B-1, | Allowing specific information on tree canopy to be substituted with appropriate statements on the development plan. | |

| Section | Summary of Amendment | Notes |
|------------------------|----------------------|-------|
| Basic Development Plan | | |

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE amending and reordaining Section 36.2-311, Use table for residential districts; Section 36.2-312, Dimensional regulations for residential districts; Section 36.2-315, Use table for multiple purpose districts; Section 36.2-316, Dimensional regulations for multiple purpose districts; Section 36.2-322, Use table for industrial districts; Section 36.2-326, Procedural requirements for planned unit development districts; Section 36.2-327, Use table for planned unit development districts; Section 36.2-405, Bed and breakfast; repealing Section 36.2-412, Group care facilities; amending and reordaining Section 36.2-418, Motor vehicle or trailer painting and body repair; Section 36.2-429, Temporary uses; Section 36.2-540, Zoning amendments; Section 36.2-560, Special exceptions; Section 36.2-561, Variances; Section 36.2-562, Appeals to board of zoning appeals; Section 36.2-563, Appeals from board of zoning appeals; Section 36.2-571, Zoning violations; Section 36.2-644, Overall tree canopy requirements; repealing Section 36.2-645, Street yard trees; amending and reordaining Table 652-2, Required Parking Spaces; Section 36.2-653, Maximum parking; Section 36.2-654, Parking and loading area standards; Table 654-1, Parking and Loading Area Standards; Table 668-1, Type, Number, and Size of On-Premises Signs; Section 36.2-669, Changeable copy signs and electronic readerboard signs; Section 36.2-675, Outdoor advertising signs; Section 36.2-834, Quorum and vote; Section 36.2-836, Rules and records; Section 36.2-837, Powers and duties; Section 36.2-841, Powers and duties; Appendix A, Definitions; Appendix B, Submittal requirements, B-1, Basic Development Plan; of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended; for the purposes of amending and reordaining, combining and renumbering, adding or repealing, the following code sections to update, clarify and make the

City's zoning ordinance easier to use for its citizens and consistent with state law; providing for an effective date; and dispensing with the second reading of this ordinance by title.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained, to read and provide as follows:

Sec. 36.2-311. Use table for residential districts.

| District | RA | R-12 | R-7 | R-5 | R-3 | RM-1 | RM-2 | RMF | Supplemental Regulation Section |
|--|----------|----------|----------|----------|----------|----------|----------|-----------|---------------------------------------|
| * * * | | | | | | | | | |
| <i>Accommodations and Group Living Uses</i> | | | | | | | | | |
| * * * | | | | | | | | | |
| Group care facility, congregate home, elderly | | | | | | | S | S | 36.2-412 |
| Group care facility, congregate home, not otherwise listed | | | | | | | S | <u>PS</u> | 36.2-412 |
| Group care facility, group care home | | | | | | | S | S | 36.2-412 |
| Group care facility, halfway house | | | | | | | S | S | 36.2-412 |
| Group care facility, nursing home | | | | | | | | <u>PS</u> | 36.2-412 |
| Group care facility, transitional living facility | | | | | | | | | 36.2-412 |
| * * * | | | | | | | | | |
| <i>Accessory Uses</i> | | | | | | | | | |
| * * * | | | | | | | | | |
| Home occupation, personal service | P | P | <u>P</u> | <u>P</u> | P | P | <u>P</u> | P | 36.2-413 |
| <u>Homestay</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>S</u> | <u>36.2-405</u> |

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Sec. 36.2-312. Dimensional regulations for residential districts.

| District | RA | R-12 | R-7 | R-5 | R-3 | RM-1 | RM-2 | RMF |
|--|----|------|-----|-----|-----|------|------|-----|
| * * * | | | | | | | | |
| <p><u>Where a maximum lot frontage is specified for a district, such maximum shall apply to only one frontage of a corner lot.</u></p> <p>A numeric entry means the dimension shall apply based on the unit of measurement indicated.</p> <p>“Yes” means the requirement applies.</p> <p>“No” means the requirement does not apply.</p> <p>“None” means there is no requirement.</p> | | | | | | | | |

* * *

Sec. 36.2-315. Use table for multiple purpose districts.

| District | MX | CN | CG | CLS | D | IN | ROS | UF | Supplemental Regulation Section |
|---|----------|----------|----------|----------|----------|----|----------|----------|---------------------------------|
| * * * | | | | | | | | | |
| <i>Accommodations and Group Living</i> | | | | | | | | | |
| <u>Campground</u> | | | <u>S</u> | <u>S</u> | | | <u>S</u> | <u>S</u> | |
| * * * | | | | | | | | | |
| Group care facility, congregate home, elderly | S | | | | | | | | <u>36.2-412</u> |
| Group care facility, nursing home | S | | | | | | | | <u>36.2-412</u> |
| <i>Assembly and Entertainment Uses</i> | | | | | | | | | |
| * * * | | | | | | | | | |
| Place of worship | | P | P | P | P | P | | <u>P</u> | |
| <i>Accessory Uses</i> | | | | | | | | | |
| * * * | | | | | | | | | |
| <u>Homestay</u> | <u>S</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | | <u>P</u> | <u>36.2-405</u> |

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Sec. 36.2-316. Dimensional regulations for multiple purpose districts.

| | | MX | CN | CG | CLS | D | IN | ROS | UF |
|------------------------|---------|-------|--------|---------|--------|------|---------|------|---------------------------------|
| * * * | | | | | | | | | |
| Lot area (square feet) | Minimum | 5,000 | 5,000 | 10,000 | 43,560 | None | None | None | None |
| | Maximum | None | 87,120 | 130,680 | None | None | 217,800 | None | <u>87,120</u> <u>130,680</u> |
| * * * | | | | | | | | | |

| | | MX | CN | CG | CLS | D | IN | ROS | UF |
|---|--|----|-----|------|---|---|----|--|-----|
| Height maximum (feet) | Property abutting a residential district | 45 | 45 | 45 | 1 foot for each foot of setback from any abutting residential lot | 1 foot for each foot of setback from any abutting residential lot | 40 | 35 <u>1 foot for each foot of setback from any abutting residential lot, not to exceed 60 feet</u> | 60 |
| | Property not abutting a residential district | 45 | 45 | None | None | None | 40 | 35 <u>60</u> | 60 |
| * * * | | | | | | | | | |
| Impervious surface area maximum (percentage of lot area) | | 70 | 100 | 85 | 80 | 100 | 80 | 45 <u>80</u> | 100 |
| * * * | | | | | | | | | |
| <p>*Except townhouses and multifamily dwellings, minimum façade transparency for these uses is 20 percent.</p> <p><u>Where a maximum lot frontage is specified, the maximum shall apply only to a primary street frontage as determined by application of Sec. 36.2-319(b).</u></p> <p>A numeric entry means the dimension shall apply based on the unit of measurement indicated.</p> <p>“Yes” means the requirement applies.</p> <p>“No” means the requirement does not apply.</p> <p>“None” means there is no requirement.</p> | | | | | | | | | |

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Sec. 36.2-322. Use table for industrial districts.

| District | I-1 | I-2 | AD | Supplemental Regulation Section |
|--|----------|-----|----------|---------------------------------|
| * * * | | | | |
| <i>Assembly and Entertainment Uses</i> | | | | |
| * * * | | | | |
| <u>Amphitheatre</u> | <u>P</u> | | <u>P</u> | |
| * * * | | | | |

| District | I-1 | I-2 | AD | Supplemental Regulation Section |
|---|----------|----------|----------|---------------------------------|
| <u>Entertainment establishment, abutting a residential district</u> | <u>P</u> | | <u>P</u> | |
| <u>Entertainment establishment, not abutting a residential district</u> | <u>P</u> | | <u>P</u> | |
| * * * | | | | |
| <u>Park or playground</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <u>Recreation, outdoor</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| <i>Accessory Uses</i> | | | | |
| * * * | | | | |
| <u>Outdoor recreation facility lighting or sports stadium lighting</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>36.2-403</u> |

* * *

Sec. 36.2-326. Procedural requirements for planned unit development districts.

* * *

(i) The procedure for establishing or amending a PUD plan shall be as prescribed in Sections 36.2-540, Zoning Amendments; and 36.2-541, Conditional Rezoning, if applicable.

Sec. 36.2-327. Use table for planned unit development districts.

| | MXPUD | INPUD | IPUD | Supplemental Regulation Section |
|--|----------|----------|------|---------------------------------|
| * * * | | | | |
| <i>Accommodations and Group Living</i> | | | | |
| * * * | | | | |
| <u>Campground</u> | <u>P</u> | <u>P</u> | | |
| * * * | | | | |
| Group care facility, congregate home, elderly, | P | P | | <u>36.2-412</u> |
| Group care facility, congregate home, not otherwise listed | | P | | <u>36.2-412</u> |
| Group care facility, group care home | | P | | <u>36.2-412</u> |
| Group care facility, halfway house | | P | | <u>36.2-412</u> |

| | | | | |
|---|---|---|--|---------------------|
| Group care facility, nursing home | P | P | | 36.2-412 |
| Group care facility, transitional living facility | | P | | 36.2-412 |

* * *

Sec. 36.2-405. Bed and breakfast and homestay establishments.

(a) *Applicability.* The supplemental regulations set out in this section shall apply to bed and breakfast and homestay establishments permitted by this chapter as of right or by special exception.

~~(b) Location requirements. In any zoning district in which bed and breakfast establishments are permitted, such establishments shall be located within a single family detached dwelling.~~

~~(c)~~(b) General standards for bed and breakfast establishments.

(1) Such establishments shall be located within a single-family detached dwelling

~~(1)~~(2) No exterior changes to the single-family detached dwelling occupied by the bed and breakfast shall be permitted unless such change is required by the Zoning Administrator for safety purposes or such change can be shown to be in harmony with the structure's architectural and historic value.

~~(2)~~(3) The owner of the single-family detached dwelling occupied by the bed and breakfast establishment shall reside in the dwelling.

~~(3)~~(4) No more than six (6) guest sleeping rooms shall be utilized for a bed and breakfast establishment and the number of guest occupants shall not exceed twelve (12).

~~(4)~~(5) Rooms shall be rented only on a daily basis.

~~(5)~~(6) One (1) sign attached to the building shall be permitted. Such sign shall have a sign area not exceeding two (2) square feet and shall not be illuminated.

~~(6)~~(7) Only accessory uses or structures which are incidental and subordinate to a single-family detached dwelling shall be permitted in conjunction with a bed and breakfast establishment.

(c) Standards for homestay establishments.

(1) No changes shall be made to the exterior of the building occupied by the homestay.

(2) The homestay shall have no more than two (2) bedrooms for guests and shall be designed to accommodate no more than four (4) total guests.

(3) Rooms shall be rented only on a daily or weekly basis. Stays shall not exceed 14 days.

(4) The owner or leaseholder shall also occupy the dwelling unit during guest stays.

* * *

Sec. 36.2-412. ~~Group care facilities. (Reserved)~~

- (a) ~~Purpose.~~ The intent of the regulations of this section is to permit the development of group care facilities in appropriate locations throughout the City, to ensure compatibility of these uses within the neighborhoods in which they are located, and to establish standards to encourage an adequate quality of service to the users of such facilities.
- (b) ~~Applicability.~~ The supplemental regulations of this section shall apply to any group care facility permitted by this chapter.
- (c) ~~Standards.~~
- (1) ~~No group care facility shall be located closer than one thousand five hundred (1,500) feet to another group care facility. This spacing requirement shall apply to any group care facility on a separate lot, regardless of whether or not the group care facilities are under common ownership, except that such spacing requirement shall not apply to a group care facility in an Institutional Planned Unit Development (INPUD). The applicant shall provide a scaled map of the lot lines for the subject property and the lot lines for the nearest group care facility as part of any application for a special exception, development plan approval, or a zoning permit.~~
- (2) ~~The maximum number of occupants of a group care facility, including supervisory personnel and family members living on the premises, shall be based on the following schedule:~~

| Zoning District | Square Footage of Facility Required per Occupant |
|-----------------|--|
| RM-2 | 800 |
| RMF | 500 |
| MX | 400 |
| INPUD, MXPUD | 300 |

- (3) ~~A group care facility shall provide one hundred (100) square feet of usable open space per occupant.~~

* * *

Sec. 36.2-418. Motor vehicle or trailer painting and body repair.

* * *

- (c) *Additional standards in the I-1 and I-2 Districts.* In addition to the general standard set forth in subsection (a), above, a motor vehicle or trailer painting and body repair establishment in the Light Industrial District (I-1) or the Heavy Industrial District (I-2) shall be subject to the following requirements:

* * *

- (2) The outdoor storage area shall be accessory to a building on the same lot and shall have a maximum area of no greater than eighty (80) percent of the gross floor area of the building. ~~and~~

* * *

Sec. 36.2-429. Temporary uses.

* * *

- (e) Public events. For purposes of this section, a “public event” means an event, series of events, or organized activities for a historical, social, educational, cultural, or special theme, held for a limited period of time and open to the public. Temporary public events shall include, without limitation, carnivals, festivals, exhibits, outdoor dance, fundraisers, fairs, and concerts. Camping areas for tents and recreational vehicles may be established on properties within 1,000 feet of the public event for the duration of the public event. Public events, including associated temporary structures such as tents, shall be permitted as set forth in Table 429-1, except that:

- (1) The following public events shall be exempt from the requirements of a zoning permit:
- (A) Events that use no tents or air-supported structures that:
 - (i) Cover an area greater than nine hundred (900) square feet; or
 - (ii) Have an occupant load greater than fifty (50) persons.
 - (B) Events that use no temporary structures greater than one hundred twenty (120) square feet in area;
 - (C) Events that are accessory in nature to the primary use of the property on which the event is being held;
 - (D) Events that do not use amusement devices requiring a building permit; and
 - (E) Events lasting four (4) days or less.

- (2) A temporary structure, including any tent, may be permitted to remain on site for a period of not more than two (2) calendar days following the time period for which the zoning permit for the temporary public event is issued;
- (3) Adequate provision shall be made for utility services; and
- (4) Such public event shall not occur between the hours of 2:00 a.m. and 6:00 a.m.

* * *

Sec. 36.2-540. Zoning amendments.

* * *

- (f) Notice of hearing. Prior to conducting any public hearing required by this chapter before the City Council or the Planning Commission, notice shall be given as required by Section 15.2-2204 of the Code of Virginia (1950), as amended. The expense of advertising shall be borne by the applicant. Fees for such advertisements shall be as set forth in the City of Roanoke's Fee Compendium and as adopted by City Council in accordance with section 15.2-207 of the Code of Virginia (1950), as amended. Any affidavits required by Section 15.2-2204, Code of Virginia (1950), as amended, shall be filed with the City Clerk. In addition, and as a courtesy to the general public, at least ten (10) business days prior to the public hearing before the Planning Commission, the Zoning Administrator shall erect a sign indicating the zoning district requested, identification of the subject property, and the time, date, and place of such public hearing as set forth in the schedule below:

| Scope of Rezoning Application | Sign Posting Requirements |
|--|---|
| Application to rezone 1—25 tax parcels, or portion thereof | 1 sign per street frontage of contiguous subject tax parcels |
| Application to rezone 26—100 tax parcels, or portion thereof | 1 sign per intersection constituting the perimeter of the area proposed to be rezoned |
| Comprehensive rezoning (over 100 properties) | No sign posting required |

Failure by the zoning administrator to comply with the requirement of posting a sign on the subject property shall not be a ground for cancelling, rescheduling or continuing a public hearing at the request of any applicant or interested person or entity on any matter otherwise properly advertised for public hearing in accordance with Section 15.2-2204 of the Code of Virginia (1950), as amended. No decision or recommendation by either the Planning Commission for the City of Roanoke, the City Council for the City of Roanoke or the Board of Zoning Appeals for the City of Roanoke shall be subject to challenge

solely on the ground that the zoning administrator failed to comply with the requirement of posting a sign on the subject property.

* * *

Sec. 36.2-560. Special exceptions.

* * *

(b) Procedures.

- (1) Applications for special exceptions may be made by any property owner, tenant, government official, department, board, or bureau. Such application shall be filed with the Zoning Administrator in accordance with rules adopted by the Board of Zoning Appeals. Upon receipt of a complete application for a special exception, the Board of Zoning Appeals shall hold a public hearing after giving notice as provided in Section 15.2-2204, Code of Virginia (1950), as amended. However, when giving any required notice to the owners, their agents, or the occupants of abutting property and property immediately across the street or road from the property affected, the Board may give such notice by first class mail rather than by registered or certified mail. In addition to meeting the requirements of Section 15.2-2204, and as a courtesy to the general public, the Zoning Administrator shall erect a sign indicating the nature of the special exception requested, identification of the subject property, and the time, date, and place of such public hearing at least ten (10) business days prior to the public hearing before the Board of Zoning Appeals. Failure by the zoning administrator to comply with the requirement of posting a sign on the subject property shall not be a ground for cancelling, rescheduling or continuing a public hearing at the request of any applicant or interested person or entity on any matter otherwise properly advertised for public hearing in accordance with Section 15.2-2204 of the Code of Virginia (1950), as amended. No decision or recommendation by either the Planning Commission for the City of Roanoke, the City Council for the City of Roanoke or the Board of Zoning Appeals for the City of Roanoke shall be subject to challenge solely on the ground that the zoning administrator failed to comply with the requirement of posting a sign on the subject property. The expense of legal advertisement required by Section 15.2-2204 shall be borne by the applicant. Fees for such advertisements shall be as set forth in the City of Roanoke's Fee Compendium and as adopted by City Council in accordance with Section 15.2-207 of the Code of Virginia (1950), as amended.

* * *

Sec. 36.2-561. Variances.

* * *

(b) Procedures.

- (1) Applications for variances may be made by any property owner, tenant, government official, department, board, or bureau. Such application for a variance shall be filed with the Zoning Administrator. Upon receipt of a complete application for a variance, the Board of Zoning Appeals shall hold a public hearing after giving notice as provided in Section 15.2-2204, Code of Virginia (1950), as amended. However, when giving any required notice to the owners, their agents, or the occupants of abutting property and property immediately across the street or road from the property affected, the Board may give such notice by first class mail rather than by registered or certified mail. No variance shall be ~~authorized~~ considered except after such appeal, notice, and public hearing. The expense of legal advertisement shall be borne by the applicant. Fees for such advertisements shall be as set forth in the City of Roanoke's Fee Compendium and as adopted by City Council in accordance with section 15.2-207 of the Code of Virginia (1950), as amended.

* * *

(c) Standards for considering a variance. Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and

- (1) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- (2) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- (3) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- (4) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- (5) the relief or remedy sought by the variance application is not available through a special exception process or the process for

modification of a zoning ordinance at the time of the filing of the variance application.

- ~~(c) — Standards for considering a variance. Whenever a property owner can show that the owner's property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the effective date of the ordinance, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property or where the board is satisfied, upon the evidence heard by it, that the granting of the variance will alleviate a clearly demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of the ordinance.~~

No such variance shall be authorized by the board unless it finds:

- ~~1. — That the strict application of the ordinance would produce undue hardship relating to the property;~~
- ~~2. — That the hardship is not shared generally by other properties in the same zoning district and the same vicinity; and~~
- ~~3. — That the authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.~~

~~No variance shall be authorized unless the board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.~~

- (d) Conditions and guarantees. In grantingauthorizing a variance the board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.
- (e) Conforming status. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under state law and the zoning ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the zoning ordinance. Where the expansion is proposed within an area of the site or

part of the structure for which a variance is required, the approval of an additional variance shall be required.

Sec. 36.2-562. Appeals to board of zoning appeals.

* * *

(b) Procedures.

* * *

- (3) Upon receipt of a notice of appeal, the Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal and make its decision within ninety (90) calendar days of the filing of the appeal. Notice of the public hearing shall be given as provided by Section 15.2-2204, Code of Virginia (1950), as amended. However, when giving any required notice to the owners, their agents, or the occupants of abutting property and property immediately across the street or road from the property affected, the Board may give such notice by first-class mail rather than by registered or certified mail. Fees for such advertisements shall be as set forth in the City of Roanoke's Fee Compendium and as adopted by City Council in accordance with section 15.2-207 of the Code of Virginia (1950), as amended.

* * *

Sec. 36.2-563. Appeals from board of zoning appeals.

* * *

- (d) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a commissioner to take evidence as it may direct and report the evidence to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

* * *

- (f) In the case of an appeal by a person of any decision of the Board of Zoning Appeals that denied or granted an application for a variance, ~~or application for a special exception,~~ the decision of the Board of Zoning Appeals shall be presumed to be correct. The petitioner may rebut that presumption by proving by a preponderance of the evidence, including the record before the board of zoning appeals, that the board of zoning appeals erred in its decision, showing to the satisfaction of the court that the Board of Zoning Appeals applied erroneous principles of law, or where the discretion of the Board of Zoning Appeals is involved, the decision of the Board of Zoning Appeals was plainly wrong and in violation of the purpose and intent of the zoning ordinance.

(g) In the case of an appeal by a person of any decision of the board of zoning appeals that denied or granted application for a special exception, the decision of the board of zoning appeals shall be presumed to be correct. The petitioner may rebut that presumption by showing to the satisfaction of the court that the board of zoning appeals applied erroneous principles of law, or where the discretion of the board of zoning appeals is involved, the decision of the board of zoning appeals was plainly wrong, was in violation of the purpose and intent of the zoning ordinance, and is not fairly debatable.

~~(g)~~(h) Costs shall not be allowed against the Board, unless it shall appear to the court that it acted in bad faith or with malice in making the decision appealed from. In the event the decision of the Board is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making the return of the record pursuant to the writ of certiorari. If the petition is withdrawn subsequent to the filing of the return, the Board may request that the court hear the matter on the question of whether the appeal was frivolous.

* * *

Sec. 36.2-571. Zoning violations.

* * *

(b) *Procedures upon discovery of violation.* If the Zoning Administrator finds that any provision of this chapter is being violated, the Zoning Administrator shall provide a written notice to the owner or the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it.

* * *

Sec. 36.2-644. Overall tree canopy requirements.

(a) *Definition of tree canopy.* For purposes of this section, "tree canopy" shall include all areas of coverage by existing plant materials exceeding five (5) feet in height, and the extent of planted tree canopy at maturity shall be based on the "canopy at 20 years" as set forth in Table 642-1. Where an existing tree is not listed in Table 642-1, "canopy at maturity" shall be based on the published reference text, Manual of Woody Landscape Plants, fifth edition, 1998, by Michael A. Dirr.

(b) Applicability.

(1) This section shall apply to any development that requires submission of a comprehensive development plan or a basic

development plan, except that: ~~dedicated school sites, playing fields, and other nonwooded recreation areas, and other facilities and uses of a similar nature, shall be exempt from the requirements of this section.~~

(A) Dedicated school sites, playing fields, and other nonwooded recreation areas, and other facilities and uses of a similar nature, shall be exempt from the requirements of this section.

(B) Construction of an addition to or accessory structure associated with an existing single family or two-family dwelling, provided that no required trees are removed as part of the project, shall be exempt from the requirements of this section.

* * *

Sec. 36.2-645. ~~Street yard trees.~~ (Reserved)

~~Deciduous trees, as set forth in Section 36.2-642, Table 642-1, shall be provided between the building line and any street right-of-way when such building line is twenty-five (25) feet or more from the abutting street right-of-way. One (1) such tree shall be provided for each fifty (50) feet of lot frontage, or portion thereof, exclusive of any perimeter parking area landscaping strips as required in Section 36.2-648(b)(5).~~

Table 652-2. Required Parking Spaces

| Use | Minimum Number of Parking Spaces Required Calculated as 1 Space for Each Specified Unit | Maximum Parking |
|--|--|--------------------|
| * * * | | |
| <i>Public, Institutional or Community Facilities</i> | | |
| * * * | | |
| Community garden | None | ¥ |

* * *

Sec. 36.2-653. Maximum parking.

* * *

- (d) Maximum parking standards may be exceeded with the approval of the Board of Zoning Appeals, subject to the following provisions:

* * *

- (3) The total number of parking spaces created for any use shall be established by the Board, but in no case shall the total number of parking spaces provided exceed two hundred (200) ~~one hundred seventy five (175)~~ percent of the minimum number of spaces required; and

* * *

Sec. 36.2-654. Parking and loading area standards.

* * *

- (b) *Construction and location standards.* Parking and loading areas shall comply with the construction standards listed below and as shown in Table 654.1:

* * *

~~(5) In the Neighborhood Design Overlay District (ND), no parking spaces, if provided, shall be permitted between the right-of-way of a street and the principal building. In the case of a corner lot, this regulation shall only apply to the street frontage containing the primary building façade.~~

~~(6)~~(5) In any PUD District, the parking and loading area standards will be established on the development plan.

Table 654-1. Parking and Loading Area Standards

| * * * | | |
|---|--|--|
| <i>Dimensional Standards:</i> | | |
| * * * | | |
| Front yard coverage: Maximum area of driveways and parking areas in established front yard | 30 percent of the lot area between the right-of-way and the building line <u>Exception:</u> <u>The maximum area specified shall not apply to any areas where a permeable paver system is used.</u> | No maximum |
| Width: Cumulative width of all driveway entrances at frontage | Cumulative width of driveway entrances shall not exceed 30 percent of the lot frontage <u>Exception:</u> <u>Exceptions:</u> 10 feet minimum width for all lots <u>The maximum width specified shall not apply to any areas where a permeable paver system is used.</u> | Cumulative width of driveway entrances shall not exceed 30 percent of the lot frontage Exception: 18 feet minimum width for all lots |

| | | |
|---|--|---|
| Width: Minimum individual driveway width (applies between right-of-way and building line) | 10 feet – 7 feet <u>Exception:</u> Actual paved width of driveway may be reduced to 8.5 feet for solid paving and 7 feet for ribbon driveways (width considered 10 feet for purpose of calculations) | R-12, R-7, R-5, R-3, R-A, RM-1 One way: 10 feet Two way: 18 feet RM-2, RMF, all multiple purpose districts One way: 12 feet Two way: 15 feet Industrial districts One way: 12 feet Two way: 18 feet |
| Width: Maximum individual driveway width (applies between right-of-way and building line) | 20 feet or half of the front lot line length, whichever is less <u>Exceptions:</u> <u>For lots having a primary street frontage of 90 feet or greater, the maximum width shall be 30 feet.</u> <u>Maximum driveway width shall not apply to any areas where a permeable paver system is used.</u> | R-12, R-7, R-5, R-3, R-A, RM-1 One way: 12 feet Two way: 24 feet RM-2, RMF, all multiple purpose districts One way: 15 feet Two way: 24 feet Industrial districts One way: 18 feet Two way: 30 feet |

* * *

Table 668-1. Type, Number, and Size of On-Premises Signs

| District | Type Permitted | Maximum Number of Signs | Maximum Sign Area | Maximum Sign Area | Maximum Height | Permitted Characteristics |
|----------|----------------|--|-----------------------------|---------------------------|----------------|--|
| * * * | | | | | | |
| CLS | Freestanding | 1 sign structure per for first 200 linear feet of lot frontage, <u>1 additional sign for each additional 200 feet of lot frontage</u> up to 4 signs | 1 sf per lf of lot frontage | 150 sf per sign structure | 25 ft | Illuminated Changeable copy Electronic readerboard |

| District | Type Permitted | Maximum Number of Signs | Maximum Sign Area | Maximum Sign Area | Maximum Height | Permitted Characteristics |
|----------|------------------|-------------------------|---|-------------------|----------------|--|
| CLS | Building-mounted | None | 32 sf plus 1 sf per lf of building face or storefront over 32 lf, plus additional area per § 36.2-677 | None | Not Applicable | Illuminated Changeable copy Electronic readerboard |
| | Upper-story | None | 10% of façade area, maximum 300 sf | None | Not Applicable | Illuminated |
| * * * | | | | | | |

Sec. 36.2-669. Changeable copy signs and electronic readerboard signs.

* * *

(b) Electronic readerboard signs shall be subject to these requirements:

* * *

(3) An electronic readerboard in a CN, D, IN, or CG District shall not exceed twenty-five (25) square feet in sign area.

* * *

Sec. 36.2-675. Outdoor advertising signs.

* * *

(g) Any outdoor advertising sign for which a building permit was issued in accordance with this chapter prior to VDOT certification of this article, but which could not be permitted by VDOT due to the absence of such certification, shall be permitted when such certification is obtained.

* * *

Sec. 36.2-834. Quorum and vote.

* * *

- (c) The board shall offer an equal amount of time in a hearing on any case to the applicant, appellant or other person aggrieved that it offers to the staff of the City of Roanoke.

* * *

Sec. 36.2-836. Rules and records.

* * *

- (d) Ex parte communications, proceedings.

- (1) The non-legal staff of the governing body may have ex parte communications with a member of the board prior to the hearing but may not discuss the facts or law relative to a particular case. The applicant, landowner or his agent or attorney may have ex parte communications with a member of the board prior to the hearing but may not discuss the facts or law relative to a particular case. If any ex parte discussion of facts or law in fact occurs, the party engaging in such communication shall inform the other party as soon as practicable and advise the other party of the substance of such communication. For purposes of this section, regardless of whether all parties participate, ex parte communications shall not include (i) discussions as part of a public meeting or (ii) discussions prior to a public meeting to which staff of the governing body, the applicant, landowner or his agent or attorney are all invited.
- (2) Any materials relating to a particular case, including a staff recommendation or report furnished to a member of the board, shall be made available without cost to such applicant, appellant or other aggrieved person, as soon as practicable thereafter, but in no event more than three business days of providing such materials to a member of the board. If the applicant, appellant or other aggrieved person requests additional documents or materials be provided by the locality other than those materials provided to the board, such request shall be made pursuant to § 2.2-3704 of the Code of Virginia (1950), as amended. Any such materials furnished to a member of the board shall also be made available for public inspection pursuant to subsection F of § 2.2-3707 of the Code of Virginia, (1950), as amended.
- (3) For the purposes of this section, “non-legal staff of the governing body” means any staff who is not in the Office of the City Attorney for the City of Roanoke, or for the board, or who is appointed by special law or pursuant to § 15.2-1542 of the Code of Virginia (1950), as amended. Nothing in this section shall preclude the board from having ex parte communications with any attorney or staff of any attorney where such communication is

protected by the attorney-client privilege or other similar privilege or protection of confidentiality.

- (4) This section shall not apply to cases where an application for a special exception has been filed pursuant to Sec. 36.2-560.

Sec. 36.2-837. Powers and duties.

- (a) Appeals to the Board. The Board shall have the power to hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator in the administration or enforcement of this chapter, pursuant to the procedures of Section 36.2-562. The decision on such appeal shall be based on the board's judgment of whether the zoning administrator was correct. The determination of the zoning administrator shall be presumed to be correct. At a hearing on an appeal, the zoning administrator shall explain the basis for his or her determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision or determination made by the zoning administrator. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or special.
- (b) *Variances.* Notwithstanding any other provision of law, general or special, the~~The~~ Board shall have the power to authorize variances from the terms of this chapter, pursuant to the procedures and standards set forth in Section 36.2-561. The burden of proof shall be on the applicant to prove by a preponderance of the evidence that his application meets the standards for a variance as defined in Appendix A and the criteria set forth in Section 36.2-561.

* * *

Sec. 36.2-841. Powers and duties.

* * *

- (c) Modifications. The Zoning Administrator shall have the authority to grant a modification from any provision of this chapter with respect to physical requirements on a lot, including but not limited to size, height, location, or features of or related to any building, structure, or improvements, pursuant to the procedures and standards set forth below.

* * *

- (3) The Zoning Administrator shall authorize a modification only if the Zoning Administrator finds in writing all three (3) of the following:

- (A) That the strict application of this chapter would unreasonably restrict the utilization of the property~~produce undue hardship relating to the property;~~
- (B) That such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
- (C) That the authorization of such modification will not be of substantial detriment to adjacent property and that the character of the zoning district will not be changed by the granting of the modification.

Appendix A. Definitions

* * *

Campground: an establishment that provides campsites for temporary occupancy by recreational vehicles, tents, or other such enclosures designed as temporary living quarters, and that provides on-site restroom and bathing facilities.

* * *

Homestay: an establishment that offers for compensation a portion of any dwelling unit for overnight stays to guests, and not meeting the definition of a bed and breakfast.

* * *

Variance: a reasonable deviation from those provisions regulating the shape, size or area of a lot or parcel of land, or the size, height, area, bulk or location of a building or structure when the strict application of the zoning ordinance would unreasonably restrict the utilization of the property~~result in unnecessary or unreasonable hardship to the property owner~~, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the ~~intended spirit and purpose of the ordinance, and would result in substantial justice being done.~~ It shall not include a change in use which change shall be accomplished by a rezoning or by a conditional zoning.

* * *

Appendix B. Submittal requirements

* * *

B-1. Basic Development Plan

* * *

- (b) A basic development plan submitted for approval shall include a completed application form, accompanied by payment of the required fees, and three (3) copies of a survey plot plan or a basic site plan drawing outlining the following information:

* * *

- (10) Delineation of all landscaping required pursuant to the regulations of Article 4 and Article 6 of this chapter, including:

- (A) Location, size, and description of all required planting areas and planting materials; however, such details on required tree canopy need not be specified and may be substituted by a statement on the plan indicating the amount (square feet) of required overall tree canopy to be provided before a certificate of occupancy is issued.

* * *

2. This ordinance shall take effect July 1, 2015.
3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk



PLANNING COMMISSION AGENDA REPORT

To: Chair and Members of the City Planning Commission
Meeting: June 08, 2015
Subject: Request by the City of Roanoke to rezone property located at 210 Reserve Avenue, S.W., bearing Official Tax Number 1040202, from INPUD, Institutional Planned Unit Development District, to ROS, Recreation and Open Space District. The proposed use is athletic fields.

Recommendation

Staff recommends approval. The Request by the City of Roanoke is consistent with the City's Comprehensive Plan, *South Roanoke Neighborhood Plan*, and Zoning Ordinance as the subject property will be developed in a manner appropriate to the surrounding area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ian D. Shaw", is written over a horizontal line.

Ian D. Shaw, PE, AICP, CZA
Planning Commission Agent

cc: Chris Morrill, City Manager
R. Brian Townsend, Assistant City Manager
Chris Chittum, Director of Planning Building & Development
Daniel J. Callaghan, City Attorney
Steven J. Talevi, Assistant City Attorney

Application Information

| | |
|-----------------------------------|--|
| <i>Request:</i> | Rezoning |
| <i>Owner:</i> | City of Roanoke |
| <i>City Staff Person:</i> | Katharine Gray, Land Use and Urban Design Planner |
| <i>Site Address/Location:</i> | 210 Reserve Ave, SW |
| <i>Official Tax Nos.:</i> | 1040202 |
| <i>Site Area:</i> | 31.889 acres |
| <i>Existing Zoning:</i> | INPUD, Institutional Planned Unit Development District |
| <i>Proposed Zoning:</i> | ROS, Recreation and Open Space District |
| <i>Existing Land Use:</i> | Outdoor Recreation |
| <i>Proposed Land Use:</i> | Outdoor Recreation |
| <i>Neighborhood Plan:</i> | <i>South Roanoke Neighborhood Plan</i> |
| <i>Specified Future Land Use:</i> | Recreational/Institutional |
| <i>Filing Date:</i> | Motion at Planning Commission Public Hearing: May 11, 2015 Original Application: May 11, 2015 |

Background

The property was zoned C-1, Office District prior to December 2005. The property was zoned INPUD on December 5, 2005, as part of a comprehensive rezoning of the City. The INPUD district was applied because the site supported several institutional uses in addition to the outdoor recreation uses on the property. Those institutional uses included Victory Stadium, the National Guard Armory, and the Parks and Recreation administrative offices. All three structures have since been demolished and the institutional land uses that led to the INPUD designation in 2005 no longer exist on the property.

The City plans to continue to use the site for outdoor recreation uses. The majority of the site's area remains unplanned, but the City plans to relocate tennis courts from Crystal Spring Park to this site in the near future. The rezoning of the property from INPUD to ROS would allow the flexibility of future site development without the requirement of a development plan submittal for each change to the property that is currently required in the INPUD district.

Considerations

The subject property was acquired by the City of Roanoke in the 1930's and 40's and has been used in part for recreational uses since that time. The proposed development will further the development of the property for outdoor recreational uses in keeping with the long term vision for the site.

Surrounding Zoning and Land Use:

| | <i>Zoning District</i> | <i>Land Use</i> |
|--------------|--|---|
| <i>North</i> | INPUD, Institutional Planned Unit Development District | Educational facilities, college/ university; Hotel; Medical Clinic and Vacant |
| <i>South</i> | ROS, Recreation and Open Space District | Recreation, outdoor |
| <i>East</i> | INPUD, Institutional Planned Unit Development District | Parking structure facility; Day care center, child |
| <i>West</i> | INPUD, Institutional Planned Unit Development District | Vacant |

Compliance with the Zoning Ordinance:

The purpose of the ROS District is to recognize and enhance active park and recreation lands, passive open spaces, and significant natural and scenic features by encouraging these areas to protect unique land resources from degradation, consistent with the recommendations of the City's Comprehensive Plan. It is further intended to prevent the encroachment of incompatible land uses, while permitting limited construction within open space areas which is supportive of their function and which promotes their use and enjoyment.

The change of zoning district from INPUD to ROS would allow for the City to make changes to the site in keeping with the development standards of the Zoning Ordinance, but without having to amend a development plan through a public process each time a change is sought as required in the current INPUD zoning district.

Conformity with the Comprehensive Plan and Neighborhood Plan:

Both *Vision 2001-2020* and the *South Roanoke Neighborhood Plan* recognize the need for property within the City to serve the needs of both citizens and visitors. The subject property is part of a larger planned outdoor recreation complex that serves to benefit both groups of people. Relevant policies and action items in the Comprehensive Plan include:

EC PC1. Parks and Recreation. Roanoke will develop, maintain, and manage parks and recreation facilities that enhance the City's and the region's quality of life.

ED P4. Tourism. Roanoke will promote tourism for the City and the region.

The transformation of this property to fully be a part of a large sports recreation complex will allow sports organizations within the City to serve residents and increase opportunities for sports tourism through tournaments at the River's Edge park facilities.

The *Roanoke Parks and Recreation Update to the 2007 Master Plan* identifies a need for sports fields in the City of Roanoke. Relevant policies in the Plan include:

5.4 MULTIPURPOSE FIELD SPACE

With participation trends moving more towards multi-use with soccer, lacrosse, flag football and even rugby. It is recommended that the City consider public/ private partnerships and evaluate adding more multi-purpose field spaces, particularly for games. The City could address this deficit in two phases:

- As part of the redesign the northern portion of Rivers Edge Park, create two large, lit rectangular athletic fields that have irrigation to complement the regional character of Roanoke's primary hub of recreation.

6.4.1.1 COMMUNITY MANDATES

- Strategy 1.2) Complete the joint Rivers Edge Park (North and South), and the Roanoke River Greenway as a combined signature recreational "hub" for the City.
- Strategy 1.4) Upgrade existing sports fields in the community to maximize the capacity of use as it applies to baseball, softball, lacrosse, rugby, and soccer fields.

The development of sports fields at Rivers Edge Park (north), the subject property of this rezoning, helps address the shortage of athletic fields for the City in an area that is identified as the primary recreational hub of the City.

The *South Roanoke Neighborhood Plan* recognizes that the area is one that has served as space for varied uses over the years, but purposes that the future uses should be recreational or institutional. Relevant policies and action items in the plan include:

Priority Initiatives:

Parks

- Develop Reserve Avenue/River's Edge Sports Complex as a destination, "signature" park, per the Parks and Recreation Master Plan.

Parks and Recreation:

- Recreation Amenities: Develop recreation attractions/amenities in space along the Roanoke River as identified in the Parks and Recreation Master Plan.

The principal consideration is whether the proposed rezoning is consistent with *Vision 2001-2020* and the *South Roanoke Neighborhood Plan*. The signature recreational hub has been part of the long term vision for this area for several years and the subject property on Reserve Ave, SW, is an important part of the proposal. The change of use proposed for this parcel is in keeping with this vision and appropriate for the area.

City Department Comments:

None.

Public Comment Summary

None.

Planning Commission Work Session:

None.

Zoning Amendment Application



Department of Planning, Building and Development
Room 166, Noel C. Taylor Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
Phone: (540) 853-1730 Fax: (540) 853-1230

[Click Here to Print](#)

Date: May 11, 2015

Submittal Number: Original Application

Request (select all that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Rezoning, Not Otherwise Listed | <input type="checkbox"/> Amendment of Proffered Conditions |
| <input type="checkbox"/> Rezoning, Conditional | <input type="checkbox"/> Amendment of Planned Unit Development Plan |
| <input type="checkbox"/> Rezoning to Planned Unit Development | <input type="checkbox"/> Amendment of Comprehensive Sign Overlay District |
| <input type="checkbox"/> Establishment of Comprehensive Sign Overlay District | |

Property Information:

Address: 210 Reserve Avenue, S.W.

Official Tax No(s): 1040202

Existing Base Zoning:
(If multiple zones, please manually enter all districts.)

INPUD, Institutional Planned Unit Development

- ☐ With Conditions
☒ Without Conditions

Ordinance No(s). for Existing Conditions (If applicable):

N/A

Requested Zoning: ROS, Recreation and Open Space

- ☐ With Conditions
☒ Without Conditions

Proposed
Land Use:

Outdoor recreation

Property Owner Information:

Name: City of Roanoke

Phone Number: 5408531730

Address: 215 Church Avenue, S.W., Roanoke, VA 24011

E-Mail: planning@roanokeva.gov

Property Owner's Signature:

Applicant Information (if different from owner):

Name: City Planning Commission, by Chad VanHynning, Chair

Phone Number: 5408531730

Address: 215 Church Avenue, S.W. - Room 166, Roanoke, VA 24011

E-Mail: planning@roanokeva.gov

Applicant's Signature:

Authorized Agent Information (if applicable):

Name: Ian D. Shaw, Agent to the Planning Commission

Phone Number: 5408535808

Address: 215 Church Avenue, S.W. - Room 166, Roanoke, VA 24011

E-Mail: ian.shaw@roanokeva.gov

Authorized Agent's Signature:

Zoning Amendment Application Checklist



The following must be submitted for all applications:

- ☒ Completed application form and checklist.
- ☒ Written narrative explaining the reason for the request.
- ☐ Metes and bounds description, if applicable.
- ☐ Filing fee.

For a rezoning not otherwise listed, the following must also be submitted:

- ☒ Concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures.

For a conditional rezoning, the following must also be submitted:

- ☐ Written proffers. See the City's Guide to Proffered Conditions.
- ☐ Concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures. Please label as 'development plan' if proffered.

For a planned unit development, the following must also be submitted:

- ☐ Development plan meeting the requirements of Section 36.2-326 of the City's Zoning Ordinance.

For a comprehensive sign overlay district, the following must be submitted:

- ☐ Comprehensive signage plan meeting the requirements of Section 36.2-336(d)(2) of the City's Zoning Ordinance.

For an amendment of proffered conditions, the following must also be submitted:

- ☐ Amended development or concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures, if applicable.
- ☐ Written proffers to be amended. See the City's Guide to Proffered Conditions.
- ☐ Copy of previously adopted Ordinance.

For a planned unit development amendment, the following must also be submitted:

- ☐ Amended development plan meeting the requirements of Section 36.2-326 of the City's Zoning Ordinance.
- ☐ Copy of previously adopted Ordinance.

For a comprehensive sign overlay amendment, the following must also be submitted:

- ☐ Amended comprehensive signage plan meeting the requirements of Section 36.2-336(d) of the City's Zoning Ordinance.
- ☐ Copy of previously adopted Ordinance.

For a proposal that requires a traffic impact study be submitted to the City, the following must also be submitted:

- ☐ A Traffic Impact Study in compliance with Appendix B-2(e) of the City's Zoning Ordinance.

For a proposal that requires a traffic impact analysis be submitted to VDOT, the following must also be submitted:

- ☐ Cover sheet.
- ☐ Traffic impact analysis.
- ☐ Concept plan.
- ☐ Proffered conditions, if applicable.
- ☐ Required fee.

*An electronic copy of this application and checklist can be found at www.roanokeva.gov/pbd by selecting 'Planning Commission' under 'Boards and Commissions'. A complete packet must be submitted each time an application is amended, unless otherwise specified by staff.

Narrative

**Subject Property: 31.8889 acre parcel located at 210 Reserve Avenue,
Identified as TM#1040202.**

The City of Roanoke, the owner of the subject property, requests a rezoning from INPUD, Institutional Planned Unit Development District, to ROS, Recreation and Open Space District.

Prior to December 5, 2005, the property was zoned C-1, Office District. The property was zoned INPUD on December 5, 2005, as part of a comprehensive rezoning of the City. The INPUD district was applied because the site supported several institutional uses including Victory Stadium, a National Guard Armory, and the Parks & Recreation administrative offices. All three structures have since been demolished. The land uses that led to the INPUD designation in 2005 no longer exist.

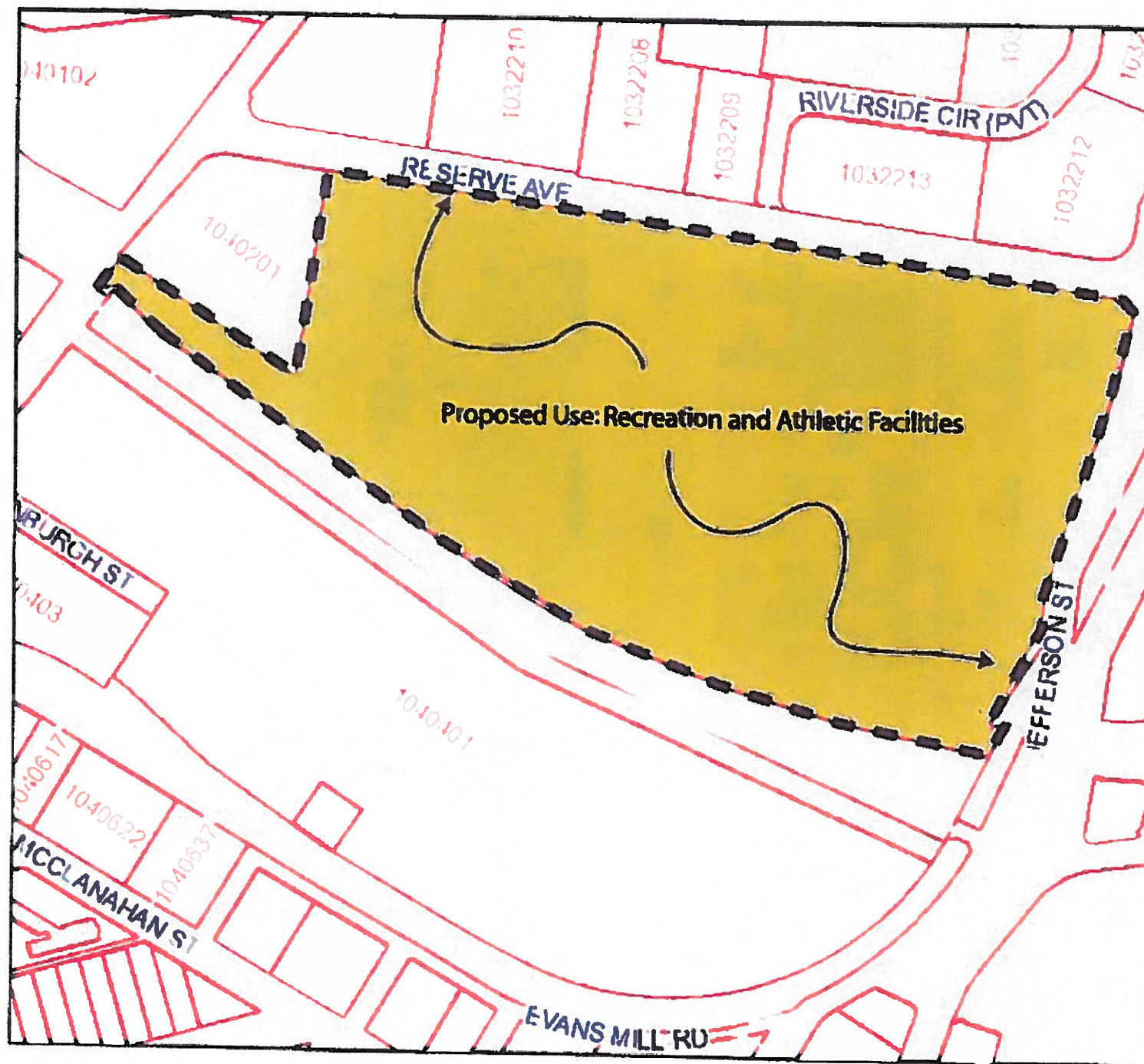
The site is to be used for more traditional recreation and athletic uses. The majority of the site's area remains unplanned, but there is an immediate need to relocate tennis courts from Crystal Spring Park to this site.



Zoning Map Amendment Exhibit

Property proposed to be
rezoned from INPUD,
Institutional Planned Unit
Development to ROS,
Recreation & Open Space
District

210 Reserve Avenue SW
Official Tax Map No. 1040202



Concept Plan

210 Reserve Avenue SW
Tax Map No. 1040202



PLANNING COMMISSION AGENDA REPORT

To: Chair and Members of the City Planning Commission
Meeting: June 8, 2015
Subject: Establishment of an Urban Development Area in the City of Roanoke.

Recommendation

Staff recommends that the Planning Commission recommend adoption of an Urban Development Area encompassing the entire City, with the exception of two areas encumbered by a recorded conservation easement established pursuant to the Virginia Conservation Easement Act, such Urban Development Area to be an amendment to *Vision 2001-2020*, the City's comprehensive plan, and its component neighborhood and area plans.

Background

Section 15.2-2223.1 of the Code of Virginia (1950), as amended, provides for local establishment of Urban Development Areas, in which growth is permitted, incentivized, or otherwise directed. An Urban Development Area ("UDA") is an area that is appropriate for higher density development due to its proximity to transportation facilities, the availability of a public water and sewer system, or a developed area, to be used for redevelopment or infill development.

House Bill 2, passed by the General Assembly in 2014, establishes a Statewide Prioritization Process for transportation projects whereby projects must demonstrate that they meet a capacity need as a (1) corridor of statewide significance, (2) a regional network, or (3) an improvement to promote a UDA. Since potential transportation funding will be linked to the existence of a UDA, the City of Roanoke was obliged to consider the establishment of one or more UDAs.

The Code of Virginia establishes a number of general requirements for a UDA:

- Development regulations applicable in the UDA should provide for higher residential densities and commercial intensities. Regulations in the UDA should also incorporate traditional neighborhood design principles.
- The UDA should be capable of accommodating projected growth through a 10-20 year planning horizon.

- The locality designating the UDA should provide incentives for development and direct funding to support development into the UDA.

Considerations

In reviewing the criteria for a UDA, staff determined that the entire City of Roanoke should be designated, with the exception of areas encumbered by a recorded conservation easement established pursuant to the Virginia Conservation Easement Act. The only existing conservation easements existing in Roanoke apply to portions of Mill Mountain and to the property located at 301 Tinker Creek Lane.

Establishment of a UDA requires that the area has land appropriate for development of residential densities of four or more dwelling units per acre and commercial floor area ratios of 0.4 or greater. Of Roanoke's 16 zoning districts that permit residential uses, 14 permit densities of four units per acre or more. All of Roanoke's multiple purpose districts, industrial districts, and planned unit development districts have floor area ratios of 1.0 or greater, or have no maximum floor area ratio.

The City's zoning ordinance and subdivision ordinance incorporate principles of traditional neighborhood design such as pedestrian-friendly street design, interconnected streets, preservation of natural areas, mixed-use neighborhoods that include mixed housing types, shallow or no building setback requirements, and reduction of subdivision street widths and turning radii at subdivision street intersections.

The UDA should meet projected residential and commercial growth over a 10 to 20-year planning horizon. The Weldon Cooper Center for Public Service of the University of Virginia projects modest population growth for Roanoke during the planning horizon.

| | 2010 | 2020 | 2030 | 2040 |
|--|--------|--------|---------|---------|
| Population projection (published 2012) | 97,032 | 99,287 | 101,174 | 102,656 |

A 2014 population estimate indicated Roanoke's population was 99,320, which already exceeds the 2020 estimate. Despite faster than predicted growth, rates are still projected as modest. The addition of 4,142 people between 2010 and 2030 translates roughly to 2,030 new housing units (based on rate of 2.04 persons per dwelling unit). While Roanoke has limited undeveloped land, the City has ample vacant infill parcels and redevelopment opportunities to accommodate the projected growth.

The Evans Spring Planning Area and the Roanoke Center for Industry and Technology represent the most potential for accommodating future commercial growth on previously undeveloped land. Areas in and around the South Jefferson Redevelopment area will accommodate additional growth as well. Much new commercial growth will likely be in the form of redevelopment along commercial and industrial corridors, downtown, and designated neighborhood centers.

In the UDA, the City will provide incentives for development that include expedited development review (existing, code mandated review times are the shortest in the state), Enterprise Zone incentives, sale of City-owned land, land development regulations that permit higher densities and higher intensity uses of land, reduction or elimination of parking requirements, minimal or no setbacks, and provisions for reducing pavement widths for new streets.

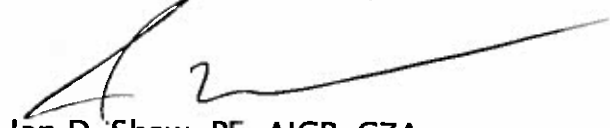
To the extent possible, federal, state and local transportation, housing, water and sewer facility, economic development, and other public infrastructure funding for new and expanded facilities will be directed toward the UDA to accommodate growth.

The City advised the planning staff of the County of Roanoke, the City of Salem, the Town of Vinton, the Roanoke-Alleghany Regional Commission, and the Roanoke Valley Transportation Planning Organization of the City's intent to establish the UDA and invited comment on the proposal.

The UDA is to be identified in the comprehensive plan and shown on future land use maps. Roanoke's future land use maps are included in each neighborhood or area plan, which are adopted as components of the comprehensive plan. Adoption of a UDA encompassing the entire City, with the exception of the two conservation easement areas, as a comprehensive plan component is therefore extended to the land use maps contained in each neighborhood or area plan.

Page Four

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ian D. Shaw', is written over the closing text.

Ian D. Shaw, PE, AICP, CZA
Planning Commission Agent

cc: Chris Morrill, City Manager
R. Brian Townsend, Assistant City Manager
Chris Chittum, Director of Planning Building & Development
Daniel J. Callaghan, City Attorney
Steven J. Talevi, Assistant City Attorney



PLANNING COMMISSION AGENDA REPORT

To: Chair and Members of the City Planning Commission

Meeting: July 13, 2015

Subject: Vacation of an approximately 0.556 acre portion of Brown-Robertson Park to create a right-of-way for realignment of 10th Street, N.W., on a portion of real property owned by the City of Roanoke, such real property located at 0 10th Street, N.W., and designated as Official Tax Map Nos. 2050307 and 2050402. In addition, the Virginia Department of Transportation will dedicate 0.220 acres of property across 10th Street and create a trailhead parking area as part of an agreement with the National Park Service and Virginia Department of Conservation and Recreation

Recommendation

The request to vacate an approximately 0.556 acre portion of Brown-Robertson Park to create right-of-way as part of a Virginia Department of Transportation (VDOT) subject to an agreement with the National Park Service (NPS) and Virginia Department of Conservation and Recreation (DCR) is a reasonable request.

VDOT is currently engaged in a project to widen 10th Street between Orange Avenue and Williamson Road. As part of that project, 10th Street will be slightly realigned as it passes by the western edge of Brown-Robertson Park (see exhibits enclosed as Attachment A). Federal land and water conservation funds were used by the City to acquire the property that now comprises Brown-Robertson Park. As a result, approvals from NPS and DCR were required for VDOT to proceed with the proposed alignment, specifically making sure that the loss of conservation space from the realignment is adequately offset. As part of the NPS and DCR approval, VDOT will convey an approximately 0.220 acre portion of property acquired for right-of-way purposes back to the City and create a small trailhead and parking area on that property to serve the Lick Run Greenway. The City's Parks and Recreation Department has been working with NPS and DCR for two years to facilitate this project. In addition, the realignment will allow the Lick Run Greenway to pass under 10th Street as part of the project and eliminate the current grade crossing, increasing safety for trail users.

Overall, the size of Brown-Robertson Park is approximately 10.6 acres, so the vacation represents a small portion of the park area. The VDOT provision of property on the west side of 10th Street to construct the trailhead parking facility for the City will be a valuable asset to the community and will more than

offset the loss of area to the east of 10th Street and has been approved by the NPS and DCR.

The vacation of the 0.556 acre portion of the park is conditioned upon the transfer of 0.220 acres of property and creation of the trailhead on the opposite side of 10th Street as agreed to by VDOT, NPS, and DCR.

Staff recommends support of the request.

Respectfully submitted,

Ian Shaw, PE, AICP, CZA
Planning Commission Agent

cc: Chris Morrill, City Manager
R. Brian Townsend, Assistant City Manager
Chris Chittum, Director of Planning Building & Development
Daniel J. Callaghan, City Attorney
Steven J. Talevi, Assistant City Attorney

ATTACHMENT A

Exhibits

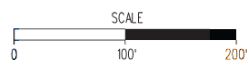
DRAFT



Proposed Reconfiguration of
Brown-Robertson Park, Lick
Run Greenway, 10th Street
and New trailhead







SECTION 6f TRANSFER APPLICATION MAP
CITY OF ROANOKE VIRGINIA

JULY 15, 2014



RK&K

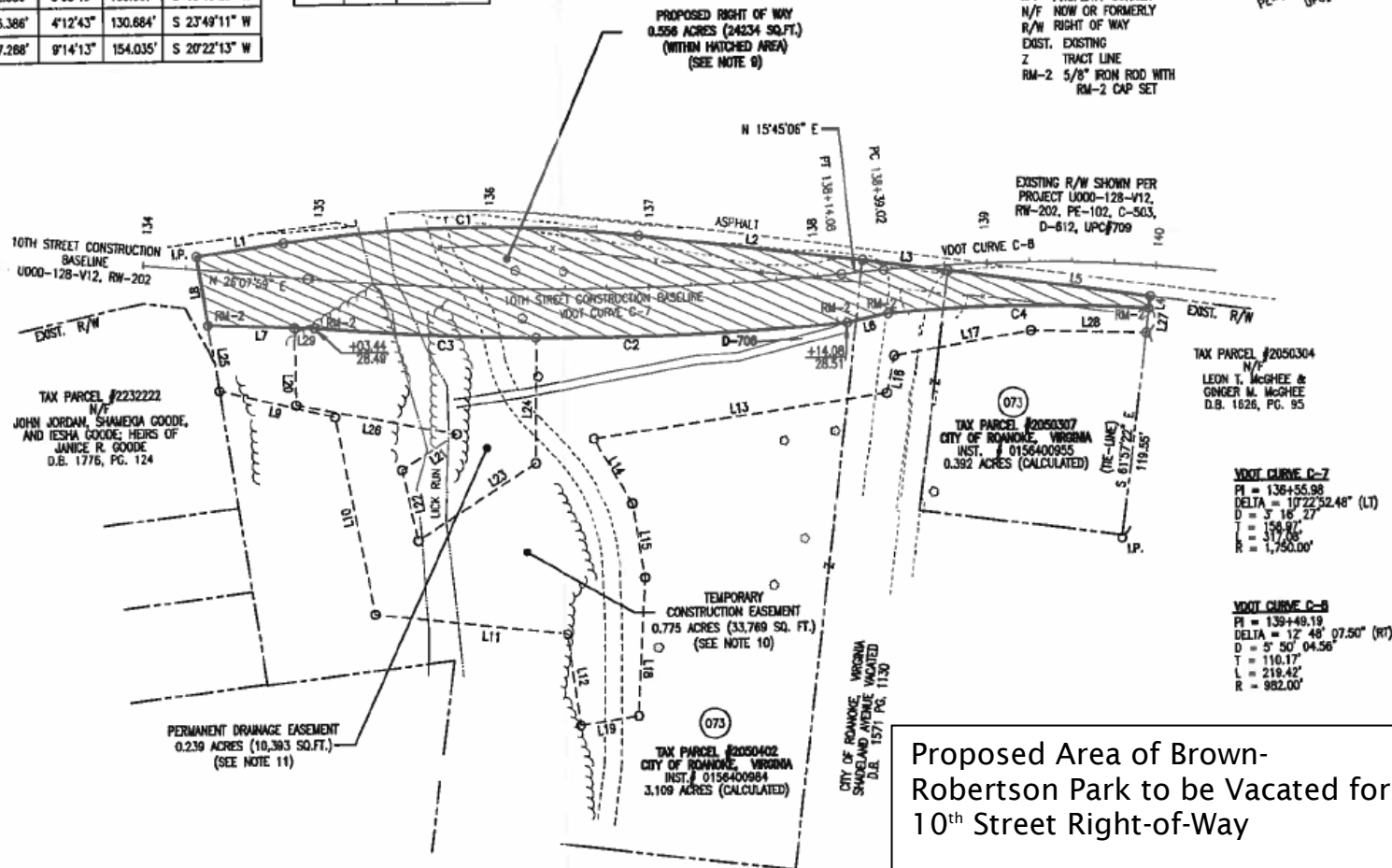
VDOT
Virginia Department of Transportation

-  PARCEL 079 BROWN-ROBERTSON REPLACEMENT LAND
-  PORTION OF PARCEL 073 CONVERTED TO RIGHT OF WAY
-  RE-ALIGNMENT SYRACUSE AVE. AND VALLEY HOME ENTRANCE
-  10th STREET IMPROVEMENTS INCLUDING THE BRIDGE OVER LICK RUN
-  RE-ALIGNMENT GREENWAY TRAIL AND CONNECTIONS TO 10th STREET SIDEWALKS
-  PARKING LOT FOR BROWN-ROBERTSON PARK WITH CONNECTIONS TO LICK RUN GREENWAY TRAIL AND 10th STREET SIDEWALKS

| CURVE TABLE | | | | | |
|-------------|-----------|----------|----------|-----------|------------------------|
| CURVE # | RADIUS | LENGTH | TANGENT | DELTA | CHORD CHORD BEARING |
| C1 | 820.636' | 211.599' | 106.390' | 14°45'25" | 211.013' N 20°14'20" E |
| C2 | 1778.139' | 185.591' | 92.880' | 5°58'49" | 185.507' S 18°43'25" W |
| C3 | 1778.139' | 130.713' | 65.386' | 4°12'43" | 130.684' S 23°49'11" W |
| C4 | 956.500' | 154.202' | 77.288' | 9°14'13" | 154.035' S 20°22'13" W |

| LINE TABLE | | |
|------------|--------|---------------|
| LINE # | LENGTH | DIRECTION |
| L28 | 67.95 | S 22°28'59" W |
| L29 | 11.86 | S 22°58'48" W |

| LINE TABLE | | |
|------------|---------|---------------|
| LINE # | LENGTH | DIRECTION |
| L1 | 51.76 | N 12°51'23" E |
| L2 | 133.00 | N 27°38'04" E |
| L3 | 50.58 | N 28°18'00" E |
| L4 | 7.35 | S 61°57'22" E |
| L5 | 120.55 | N 28°33'15" E |
| L6 | 24.58 | S 8°44'29" W |
| L7 | 50.92 | S 22°58'48" W |
| L8 | 40.99 | N 78°00'44" W |
| L9 | 69.65 | S 34°08'44" W |
| L10 | 118.57 | N 80°20'18" W |
| L11 | 115.09 | S 27°05'42" W |
| L12 | 54.43 | N 77°34'07" W |
| L13 | 175.21' | S 12°38'02" W |
| L14 | 44.38' | N 80°08'15" E |
| L15 | 44.23' | S 78°34'40" E |
| L16 | 22.33 | S 57°50'16" E |
| L17 | 82.40 | S 11°07'22" W |
| L18 | 81.47' | S 66°11'07" E |
| L19 | 34.90' | S 12°04'27" W |
| L20 | 45.62' | N 69°27'13" W |
| L21 | 38.48 | N 11°56'53" W |
| L22 | 42.81 | N 81°48'00" W |
| L23 | 82.93 | S 11°56'53" E |
| L24 | 73.76 | S 68°17'13" E |
| L25 | 39.16 | N 78°00'54" W |
| L26 | 98.01 | S 31°33'31" W |
| L27 | 14.27 | S 61°57'22" E |



ABBREVIATIONS
 D.B. DEED BOOK
 PG. PAGE
 INST. INSTRUMENT
 MON MONUMENT
 FND FOUND
 LP. PROPERTY CORNER
 N/F NOW OR FORMERLY
 R/W RIGHT OF WAY
 EXST. EXISTING
 Z TRACT LINE
 RM-2 5/8" IRON ROD WITH
 RM-2 CAP SET

VDOT PROJECT
 U000-128-V12, RW-202,
 PE-102, C-503, D-612,
 UPC#709

EXISTING R/W SHOWN PER
 PROJECT U000-128-V12,
 RW-202, PE-102, C-503,
 D-612, UPC#709

TAX PARCEL #2050304
 N/F
 LEON T. McGEHEE &
 GINGER M. McGEHEE
 D.B. 1826, PG. 95

VDOT CURVE C-7
 PI = 139+55.98
 DELTA = 10°22'52.48" (LT)
 D = 5' 16" 27
 T = 154.91'
 L = 317.88'
 R = 1,780.00'

VDOT CURVE C-8
 PI = 139+49.19
 DELTA = 12° 48' 07.50" (RT)
 D = 5' 50" 04.56
 T = 110.17'
 L = 218.42'
 R = 982.00'

Proposed Area of Brown-
 Robertson Park to be Vacated for
 10th Street Right-of-Way

- NOTES:**
1. CHRISTOPHER B. KAKNIS, CERTIFY THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM PLAT STANDARDS OF THE VA DPOR APPLICABLE REGULATIONS.
 2. THIS COMPILED PLAT WAS PREPARED TO SHOW THE FEE TAKE (HATCHED AREA) AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.
 3. THE PHYSICAL IMPROVEMENTS SHOWN HEREON ARE PER VDOT PROJECT U000-128-V12, RW-202, PE-102, C-503, D-612, UPC#709. THIS IS NOT A PHYSICAL IMPROVEMENT SURVEY.
 4. THIS COMPILED PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY BY ANDERSON AND ASSOCIATES, IN 2003 AND 2011.
 5. THIS COMPILED PLAT WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL ENCUMBRANCES WHICH MAY AFFECT THE PROPERTY SHOWN HEREON.
 6. OVERHEAD AND/OR SUBSURFACE UTILITIES (IF EXISTING) ARE NOT SHOWN HEREON.
 7. PLAT DATUM IS BASED ON VDOT PROJECT U000-128-V12, RW-202, PE-102, C-503, D-612, UPC#709.
 8. PROPOSED R/W AND EASEMENTS SHOWN HEREON PER DESIGN FILE 0708065 PROVIDED BY VDOT SALEM DISTRICT.
 9. 0.556 ACRE FEE TAKE AREA BEING GRANTED TO COMMONWEALTH OF VIRGINIA.
 10. 0.775 ACRE TEMPORARY CONSTRUCTION EASEMENT BEING GRANTED TO COMMONWEALTH OF VIRGINIA.
 11. 0.239 ACRE PERMANENT DRAINAGE EASEMENT BEING GRANTED TO COMMONWEALTH OF VIRGINIA.
 12. ALL OF THIS PROPERTY IS COMPRISED OF CITY OF ROANOKE TAX PARCELS 2050402 AND 2050307, VDOT PROJECT PARCEL 073.

TAX PARCEL #2050409
 N/F
 CITY OF ROANOKE, VIRGINIA
 D.B. 1557, PG. 1749

Christopher B Kaknis
 2013.11.06 08:49:30 -05'00"

COMPILED PLAT OF
 0.556 ACRE FEE TAKE AREA
 BEING GRANTED TO
 COMMONWEALTH OF VIRGINIA
 PROPERTY OF
 CITY OF ROANOKE, VIRGINIA
 TAX PARCELS 2050402 & 2050307

0 50 100
 SCALE IN FEET



ANDERSON & ASSOCIATES, INC.
 Professional Design Services
 www.andassoc.com

100 Ardmore St.
 Blacksburg, Va. 24060
 540-552-5592

DATE : 20 JUL 11
 DESIGNED:
 DRAWN : RLS
 CHECKED : CBK
 QA / QC : CBK

REVISIONS:
 17 JAN 12
 26 JAN 12
 06 JUL 12
 14 JAN 13
 2 APR 13
 5 NOV 13

CITY OF ROANOKE, VIRGINIA
 SCALE 1"=50'

DOCUMENT NO.
29376073
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 OF 1

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CURVE C-1

PI = 114+98.28
 DELTA = 90°48'05.80" (RT)
 T = 45' 00" 53"
 T' = 128.72'
 L = 201.19'
 R = 127.00'
 PC = 104+98.57
 PT = 124+70.76

CURVE C-8

PI = 139+19.19
 DELTA = 12°48'07.50" (RT)
 D = 5' 50" 04.56"
 T = 110.17'
 L = 219.42'
 R = 982.00'
 PC = 138+39.02
 PT = 140+58.44

CURVE C-7

PI = 138+55.95
 DELTA = 10°22'52.48" (LT)
 D = 3' 16" 27"
 T = 158.97'
 L = 317.08'
 R = 1,750.00'
 PC = 134+97.00
 PT = 139+14.08

ABBREVIATIONS

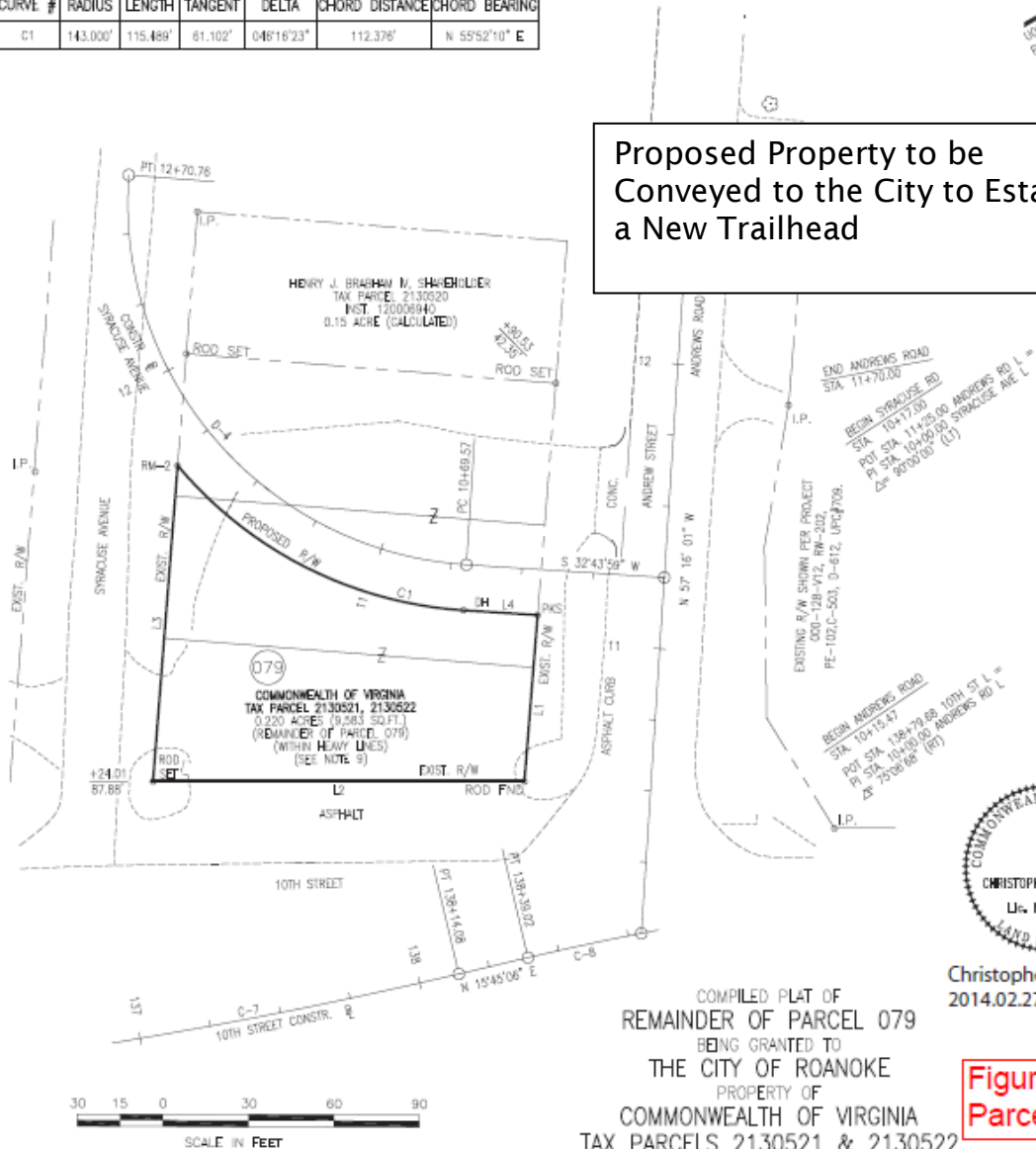
D.B. DEED BOOK
 PG. PAGE
 INST. INSTRUMENT
 MON. MONUMENT
 FND. FOUND
 N/F. NOW OR FORMERLY
 R/W. RIGHT OF WAY
 EXIST. EXISTING
 LOT LINE
 SQ. FT. SQUARE FEET
 I.P. IRON PIN FOUND
 RM-2 5/8" IRON ROD WITH
 RM-2 CAP SET
 DH. DRILL HOLE IN CONCRETE
 PK. "PK" NAIL SET IN ASPHALT

| CURVE TABLE | | | | | | |
|-------------|----------|----------|---------|------------|----------------|---------------|
| CURVE # | RADIUS | LENGTH | TANGENT | DELTA | CHORD DISTANCE | CHORD BEARING |
| C1 | 143.000' | 115.489' | 61.102' | 048°16'23" | 112.378' | N 55°52'10" E |

| LINE TABLE | | |
|------------|--------|---------------|
| LINE # | LENGTH | DIRECTION |
| L1 | 58.58 | S 56°26'39" E |
| L2 | 130.31 | S 29°02'27" W |
| L3 | 111.13 | N 56°29'54" W |
| L4 | 26.05 | N 32°43'59" E |

NOTES:

1. CHRISTOPHER B. KAKNIS, CERTIFY THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM PLAT STANDARDS OF THE VA OPOR APPLICABLE REGULATIONS.
2. THIS COMPILED PLAT WAS PREPARED TO SHOW THE CALCULATED ACQUISITION AREA OF TAX PARCELS 2130521 AND 2130522 AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.
3. THE PHYSICAL IMPROVEMENTS SHOWN HEREON ARE PER VDOT PROJECT U000-128-V12, RW-202, PE-102, C-503, D-612, UPC#709. THIS IS NOT A PHYSICAL IMPROVEMENT SURVEY.
4. THIS COMPILED PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY BY ANDERSON & ASSOCIATES, INC. IN 2003 AND 2011.
5. THIS COMPILED PLAT WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL ENCUMBRANCES WHICH MAY AFFECT THE PROPERTY SHOWN HEREON.
6. OVERHEAD AND/OR SUBSURFACE UTILITIES (IF EXISTING) ARE NOT SHOWN HEREON.
7. PLAT DATUM IS BASED ON VDOT PROJECT U000-128-V12, RW-202, PE-102, C-503, D-612, UPC#709.
8. PROPOSED R/W AND EASEMENTS SHOWN HEREON PER DESIGN FILE D709005 PROVIDED BY VDOT SALEM DISTRICT.
9. 0.220 ACRE REMAINDER OF PARCEL 079 AREA TO BE CONVEYED TO THE CITY OF ROANOKE.
10. ALL OF THIS PROPERTY IS COMPRISED OF CITY OF ROANOKE TAX PARCEL 2130522 AND A PORTION OF 2130521 VDOT PROJECT PARCEL 079.



Christopher B Kaknis
 2014.02.27 13:56:41 -05'00'

Figure 6
Parcel 079A

COMPILED PLAT OF
 REMAINDER OF PARCEL 079
 BEING GRANTED TO
 THE CITY OF ROANOKE
 PROPERTY OF
 COMMONWEALTH OF VIRGINIA
 TAX PARCELS 2130521 & 2130522



ANDERSON & ASSOCIATES, INC.
 Professional Design Services
 www.andassoc.com

100 Anners St.
 Blacksburg, VA 24060
 540-652-6592

DATE : 18 FEB 14
 DESIGNED : RLS, TB
 CHECKED : CBK
 QA/QC : CBK

REVISIONS: 27 FEB 14

CITY OF ROANOKE, VIRGINIA
 SCALE 1"=30'

DOCUMENT NO.
29376079A
 1 SHEET
 OF 1

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